

Message Text

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ACTION AF-10

INFO OCT-01 IO-13 ISO-00 HA-05 CIAE-00 DODE-00 PM-05
H-01 INR-10 L-03 NSAE-00 NSC-05 PA-01 SP-02
SS-15 USIA-06 MCT-01 /078 W
-----080791 221313Z /53

R 220645Z MAR 78
FM AMEMBASSY PRETORIA
TO SECSTATE WASHDC 790
INFO AMCONSUL CAPE TOWN
AMCONSUL DURBAN
USMISSION GENEVA
AMCONSUL JOHANNESBURG
USMISSION USUN NEW YORK

C O N F I D E N T I A L PRETORIA 1637

CAPE TOWN ALSO FOR EMBASSY

E.O. 11652: GDS
TAGS: PINT PINS SHUM SF
SUBJ: PAC TERRORISM TRIAL: SAG BARS USG OBSERVER

REF: PRETORIA 1592

1. ON MARCH 20, JUSTICE CURLEWIS, PRESIDING OVER THE PAN
AFRICANIST CONGRESS TERRORISM ACT TRIAL IN BETHAL, REFUSED
ADVOCATE WILFRED COOPER'S APPLICATION TO PERMIT DIPLOMATIC
OBSERVERS AT THE "IN CAMERA" PROCEEDINGS. ACCORDING TO PRESS
REPORTS, CURLEWIS SAID THAT THE US AND SWEDISH DIPLOMATS DID
NOT HAVE A "PROPER AND LEGITIMATE INTEREST IN THE CASE."
CURLEWIS SAID, "I AM INDIFFERENT AS TO WHETHER MY DECISION
PLEASES PRETORIA, WASHINGTON, OR STOCKHOLM." CURLEWIS ALSO
NOTED THAT "THE COURTS OF NO OTHER COUNTRIES SURPASS OUR
COURTS AND FEW EQUAL THEM."

2. ACCORDING TO AN EMBASSY SOURCE, SOUTH AFRICAN PRESS
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REPORTS OF THE CURLEWIS DECISION OMITTED A PORTION IN
WHICH HE SAID THAT THE DIPLOMATS WERE AKIN TO "PREFECTS
LOOKING INTO A CLASSROOM WINDOW" AND THEIR PRESENCE CON-
STITUTED AN "UNJUSTIFIABLE INTRUSION." CURLEWIS ALSO
REPORTEDLY SAID THAT IF THE DIPLOMATS REVEALED THE
IDENTITY OF SOME OF THE STATE WITNESSES, THEIR DIPLO-
MATIC IMMUNITY WOULD PROTECT THEM FROM PROSECUTION.

3. COMMENT: PRESS REPORTS TO DATE HAVE FOCUSED
CURLEWIS' MARCH 20 DECISION AND HAVE OVERLOOKED THAT
FACT THAT THE STATE STRENOUSLY ARGUED AGAINST THE DIPLO-
MAT'S ADMISSION ON THE MORNING OF MARCH 16. LIBERAL
FIGURES IN THE LEGAL COMMUNITY HAVE COMMENTED IN
PRIVATE THAT CURLEWIS' STATEMENTS ARE "SILLY" AND
"ABSURD".
BOWDLER

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Message Attributes

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Decaption Note:
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Disposition Approved on Date:
Disposition Case Number: n/a
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